

REMARKS

An Office action was mailed September 8, 2005 making a restriction requirement.

By the foregoing, Applicant cancels 1-106, which were pending at the time of the restriction requirement, and provides new claims, 107-166. Entry of all claims is requested. Applicant requests that restriction requirements be removed in view of the new claims.

The Examiner has found with respect to now cancelled claims 1-106 patentably distinct species of the invention exist with respect to Figs. 1, 9A and 9B. A Restriction Requirement was issued.

ELECTION

Applicant subject to the traverse below elects Fig. 1. Readable thereupon are now claims 107-166.

TRAVERSE

Applicant herewith traverses the Restriction Requirement. The restricted species comprise:

Fig. 1 indicates among other features, but not exclusively, an apparatus for identifying scene location;

Fig. 9A indicates among other features, but not exclusively, a switchover means for viewing modes; and

Fig. 9B indicates among other features, but not exclusively, a switchover means for optical filters.

Newly presented independent claims 107 and 131 claim each of said restricted species. Therein, claim 107 claims, among other limitations, each species. More specifically, claim 107 claims:

a first television camera . . . ;

. . . ;
. . . ;

. . . a mechanical device for repositioning a combination of said imaging device and said optical filter into the optical path of said narrow angle lens for switching-over the viewing modes selected from a group consisting of color to

black and white mode, color to IR mode, color to black and white to IR mode, color to IR to black and white mode, black and white to IR mode, black and white to color mode, black and white to color to IR mode, black and white to IR to color mode, IR to color mode, IR to black and white mode, IR to black and white to color mode, and IR to color to black and white mode;

...;

... wherein said processor activates said switching-over to a selected viewing mode selected from a group consisting of from color to black and white, from color to IR and from black and white to IR ...

Claim 131 similarly claims, among other limitations, each of said restricted species.

More specifically, claim 131 claims:

a first television camera ...;

...;

...;

a mechanical device for repositioning a combination of said imaging device and said optical filter into the optical path of said narrow angle lens for switching-over the viewing modes selected from a group consisting of color to black and white mode, color to IR mode, color to black and white to IR mode, color to IR to black and white mode, black and white to IR mode, black and white to color mode, black and white to color to IR mode, black and white to IR to color mode, IR to color mode, IR to black and white mode, IR to black and white to color mode, and IR to color to black and white mode;

... wherein said processor activates said switching-over to a selected viewing mode selected from a group consisting of from color to black and white, from color to IR and from black and white to IR ...

Thus, at least independent claims 107 and 131 are generic, i.e. a claim that incorporates all three species. Applicant respectfully submits that all other claims namely the claims depending from either independent claim are generic. Accordingly, the Examiner is respectfully requested to withdraw the Restriction Requirement.

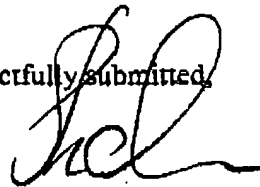
All dependent claims are allowable for at least the same reasons as the independent claim from which they depend.

In view of the remarks set forth above, this application is in condition for allowance, which is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for examination or allowance, the

Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, including any extension fees, may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Hassan A. Shakir
Reg. No. 53, 922
212.940.6489

CUSTOMER NUMBER 026304

Docket No.: ELBX 14.383A (100792-00051)

Fax: (212) 894-5684 (direct fax)